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OFFICE OF PETITIONS

In re Reissue Application No 09/686467
Filed: October 12, 2000
Original Patent No. 5,600,672
Issue Date: February 4, 1997
Original Filing Date: May 10, 1994
Patentee: Oshima
Attorney Docket No.: 2000_1420:

ON PETITION

This is a decision on the petition under 37 CFR 1.183 filed by facsimile transmission November 10, 2004, requesting suspension or waiver of 37 CFR 1.125(d), which regulation prohibits the filing of a substitute specification in an application for reissue

The petition is granted.

Petitioner asserts that the examiner has required substitute specifications in various other pending applications for reissue due to the length of the specification and the number of amendments, and further that the examiner has specifically indicated that all reissue applications related to the reissue of, as here, U.S. Patent No. 5,600,672, would require substitute specifications.

It is agreed that due to the examiner's determination that a substitute specifications is herein appropriate, that justice would be served by waiver of 37 CFR 1.125(d). This waiver extends to any further substitute specification that might be required in this reissue application.

The \$130 petition fee has been charged to deposit account No. 23-0975 as authorized.

This application is being brought to the attention of the Technology Center.

Inquiries related to this decision may be made to the undersigned at (571) 272-3217.

Brian Hearn
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy